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**DECLARATION  
Utility Application**

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention **GENE SEQUENCE VARIATIONS WITH UTILITY IN DETERMINING THE TREATMENT OF DISEASE, IN GENES RELATING TO DRUG PROCESSING** the specification of which

(Check One)

☒ is attached hereto OR  
☐ was filed on \_\_\_\_\_ as United States Application Serial No. \_\_\_\_\_; PCT  
International Application No.  
and was amended on \_\_\_\_\_ (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment(s) referred to above.

I acknowledge the duty to disclose information which is material to the patentability of this application in accordance with Title 37, Code of Federal Regulations, § 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, § 119(a)-(d) or § 365(b) of any foreign application(s) for patent or inventor's certificate, or § 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or of any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number(s)	Country	Date of Filing	Priority Claimed	
			Yes	No

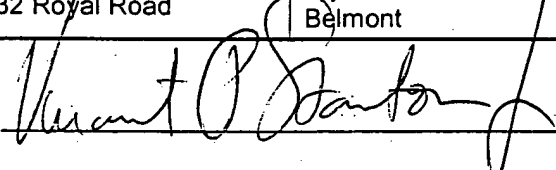
I hereby claim the benefit under Title 35, United States Code §119(e) of any United States provisional application(s) listed below.

Application Number(s)	Filing Date
60/139,440	June 15, 1999
60/131,334	April 26, 1999

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s), or § 365(c) of any PCT international application designating the United States of America, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT international application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations § 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application.

U.S. Parent Application Number	PCT Parent Number	Parent Filing Date	Status-Patented, Pending or Abandoned
09/590,783		June 8, 2000	Pending
09/501,955		February 10, 2000	Pending
	PCT/US00/01392	January 20, 2000	Pending
09/427,835		October 26, 1999	Pending
09/300,747		April 26, 1999	Pending

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Title 18, United States Code, § 1001 and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

201	FULL NAME OF INVENTOR	FIRST Name Vincent	MIDDLE Initial P.	LAST Name Stanton, Jr.	
	RESIDENCE & CITIZENSHIP	City Belmont	State or Foreign Country Massachusetts		Country of Citizenship U.S.A.
	POST OFFICE ADDRESS	32 Royal Road	City Belmont	State or Country Massachusetts	Zip Code 02178
INVENTOR'S SIGNATURE					DATE August 15, 2000

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Vincent P. Stanton, Jr.                      Art Unit :  
Serial No. : 09/648,123                                      Examiner :  
Filed : August 25, 2000  
Title : GENE SEQUENCE VARIATIONS WITH UTILITY IN DETERMINING THE  
TREATMENT OF DISEASE, IN GENES RELATING TO DRUG PROCESSING

Commissioner for Patents  
Washington, D.C. 20231

REVOCATION AND NEW POWER OF ATTORNEY

Under 37 CFR §3.73(b) VARIAGENICS, INC., a corporation, certifies that it is the assignee of 100% of the right, title and interest in the patent application identified above by virtue of:

☒ An assignment from the inventors of the patent application identified above. The executed Assignment is being filed this day with the Patent and Trademark Office for recording (copy enclosed).

The undersigned has reviewed all the documents in the chain of title of the patent application identified above and, to the best of undersigned's knowledge and belief, title is in the assignee identified above. The undersigned, whose title is supplied below, is empowered to act on behalf of the assignee.

The undersigned, acting on behalf of the assignee, hereby revokes all powers of attorney previously granted in the application and appoints:

Anita L. Meiklejohn, Ph.D.  
Reg. No. 35,283  
FISH & RICHARDSON P.C.  
225 Franklin Street  
Boston, MA 02110-2804

CERTIFICATE OF MAILING BY FIRST CLASS MAIL

I hereby certify under 37 CFR §1.8(a) that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated below and is addressed to the Commissioner for Patents, Washington, D.C. 20231.

Date of Deposit

Signature

Typed or Printed Name of Person Signing Certificate

June 7, 2001

Carrie A. Amonte

Carrie A. Amonte

Applicant : Vincent P. Stanton, Jr.  
Serial No. : 09/648,123  
Filed : August 25, 2000  
Page : 2

Attorney's Docket No.: 11926-068001

with full power of substitution and revocation, to prosecute the application and to transact all business in the United States Patent and Trademark Office connected therewith.

All correspondence regarding the application should be sent to ANITA L.

MEIKLEJOHN, PH.D. at:


FISH & RICHARDSON P.C.  
225 Franklin Street  
Boston, MA 02110-2804

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patents issued thereon.

Respectfully submitted,

Date:

May 10, 2001

  
\_\_\_\_\_

Title:

CHIEF FINANCIAL OFFICER

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